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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

8 Valerie Leland, et al.,  
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10 Plaintiffs,  
11 vs.  
12 County of Yavapai, et al.,  
13 Defendants.  
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No. CV-17-08159-PCT-SPL

**ORDER**

15 Plaintiffs Valerie Leland and Julia Muncy, the daughter and mother of Francis  
16 Naomi Wright, who died while detained in the Yavapai County Jail, brought this civil  
17 rights action for alleged constitutional and state law violations against Yavapai County,  
18 numerous County employees, Wexford Health Sources, Inc.,<sup>1</sup> and numerous Wexford  
19 employees (Doc. 13, Ex. 1). Plaintiffs initiated this action in Yavapai County Superior  
20 Court on December 29, 2016, and the Wexford Defendants removed the action to federal  
21 court in April 2017 (Doc. 1).

22 The Honorable Deborah M. Fine, United States Magistrate Judge, issued a Report  
23 and Recommendation (“R&R”) (Doc. 165), recommending that the Court grant Plaintiffs’  
24 Motion to Exclude Untimely Expert Opinions (Doc. 131). Judge Fine further advised the  
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26 <sup>1</sup> Wexford Health Sources, Inc. (“Wexford”) is a privately-owned corporation  
27 contracted to provide medical care to detainees in the Yavapai County Jail (Doc. 13-1, ¶  
28 10). The nurses named as Defendants—Valerie Whitcomb, Deborah Gallihar, Debra  
Wagner, Shirley Mitchell, and Theresa Goble—and Defendant Dr. Wilkinson were all  
Wexford employees at the relevant time (Doc. 13-1, ¶¶ 12–13, 15).

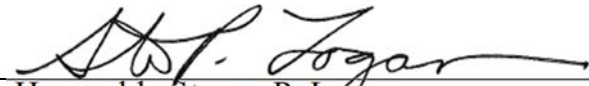
1 parties that they had fourteen (14) days to file objections to the R&R and that failure to do  
2 so could be considered a waiver of the right to obtain review of the R&R (Doc. 165) (citing  
3 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72; *United States v. Reyna-Tapia*, 328 F.3d 1114,  
4 1121 (9th Cir. 2003)).

5 The parties did not file objections, which relieves this Court of its obligation to  
6 review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149  
7 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is  
8 not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must  
9 determine de novo any part of the magistrate judge’s disposition that has been properly  
10 objected to.”). The Court has nonetheless reviewed the R&R and finds that it is well-taken.  
11 The Court will thus adopt the R&R and grant Plaintiffs’ Motion to Exclude Untimely  
12 Expert Opinions (Doc. 131). Accordingly,

13 **IT IS ORDERED** that Magistrate Judge Deborah M. Fine’s Report and  
14 Recommendation (Doc. 165) is **accepted** and **adopted** by the Court.

15 **IT IS FURTHER ORDERED** that Plaintiffs’ Motion to Exclude Untimely Expert  
16 Opinions (Doc. 131) is **granted**.

17 Dated this 8th day of April, 2019.

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Honorable Steven P. Logan  
United States District Judge